

## 95. TAXICABS

95.01. Definitions. Subdivision 1. As used in this chapter the following words and phrases shall have the meanings ascribed to them.

Subd. 2. "Cab stand" means a public place alongside the curb of a street or elsewhere, in the city, which has been designated by the council as reserved exclusively for the use of taxicabs. A cab stand may be designated by the council as "open" to all taxicabs, or "closed" to all taxicabs except the taxicabs of one certain taxicab franchise holder.

Subd. 3. "Manifest" means a daily record prepared by a taxicab driver showing all trips made by the driver at the time and place of origin, destination, number of passengers, and the amount of fare of each trip.

Subd. 4. "Rate card" means a card issued by the city clerk for display in each taxicab which contains the rates of fare then in force.

Subd. 5. "Taxicab" means a motor vehicle regularly engaged in the business of carrying passengers and their luggage for hire having a seating capacity of less than nine passengers and not operated on a fixed route.

Subd. 6. "Taximeter" means a meter instrument or device attached to a taxicab which measures mechanically the distance driven and the waiting time upon which the fare is based.

Subd. 7. "Waiting time" means the time when a taxicab is not in motion from the time of acceptance of a passenger or passengers to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act or fault of a passenger or passengers.

Subd. 8. "Wheelchair cab" means a taxicab specifically equipped to provide for the carrying of passengers confined to wheelchairs.

95.02. Application. This chapter shall apply to any company holding a franchise from the city to operate taxicabs in the city.

95.03. Service Required. Any franchisee shall render an overall service to the public desiring to use taxicabs and to this end shall maintain a central place of business in the city and keep the same open 24 hours a day for the purpose of receiving calls and dispatching cabs. Franchisees shall have a minimum of 15 taxicabs, own and operate the taxicabs, and shall not lease any taxicab to an independent contractor. Franchisees shall answer all calls received for taxicab service within the limits of the city as soon as it can do so and if such service cannot be rendered within a reasonable time, it shall then notify the prospective passengers how long it will be before the call can be answered and give the reason therefor. Refusal to accept a call anywhere in the limits of the city at any time when the grantee has available cabs, or failure or refusal to give overall service shall constitute a violation of this chapter and the council, for such refusal or failure, may in its discretion, suspend or revoke the offender's franchise.

95.04. Insurance or Bond Requirements. Subdivision 1. Before any franchisee operates any taxicab it shall secure and during the term of the franchise, maintain in force at all times, a liability insurance policy covering each vehicle operated as a taxicab, having limits of not less than \$100,000.00 for bodily injury to any one person, not less than \$300,000.00 for injuries to more than one person which are sustained in the same accident, and not less than \$50,000.00 for property damage resulting from any one accident. Said policy of insurance shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of the grantee, its servants or agents. A copy of said policy of insurance or a certificate of such insurance shall be filed in the office of the city clerk. Such insurance shall be carried with an insurance company authorized to do business in the State of Minnesota.

Subd. 2. The grantee may file, in lieu of a policy or certificate of insurance, an indemnity bond or bonds having as surety thereon, a surety company authorized to do

business in the State of Minnesota. Said bond or bonds shall conform to the provisions of this section relating to insurance and shall be approved by the council.

95.05. Licenses. Subdivision 1. Every vehicle operated as a taxicab under the authority of any franchise must be licensed and signed by the mayor and city clerk and shall be issued to specific vehicles identified as to make, year, model, serial number and Minnesota registration or license numbers required by the application forms furnished by the city clerk. The license fee is \$18.00 per year or fraction thereof for each vehicle. Licenses shall be issued for the calendar year and shall expire at midnight on December 31 of the license year.

Subd. 2. At the time each taxicab license is issued, the city clerk shall also deliver to the grantee a license plate, the number of which shall be the same as the number of the license certificate issued. The license plate shall be attached to the front state registration or license plate of the vehicle for which issued.

Subd. 3. Licenses on vehicles required from service may be transferred to proper replacement vehicles by the city clerk upon application being made to the city clerk for such transfer.

95.051. Misrepresentation as a Taxicab. No person shall operate or permit to be operated any vehicle, or operate or permit to be operated any business, using the words "taxi," "taxicab" or "cab" without compliance with all applicable provisions of this Chapter.

95.06. Stand-by Vehicles. In addition to vehicles actually licensed under the foregoing provisions, the franchisee shall be permitted to have available stand-by taxicabs to temporarily replace licensed vehicles while such licensed vehicles are undergoing repairs or alterations. In order to qualify a stand-by taxicab, the grantee shall submit to the city clerk the same application and information required for a licensed vehicle, appropriately altering such application to indicate that the same is for a stand-by vehicle. When stand-by taxicabs are in use, the city taxicab license plates of the licensed taxicab undergoing repairs or alterations shall be transferred to the replacement taxicab. None of the provisions of this section are to be construed as authorizing the operation of a taxicab on the streets of Rochester by the grantee without a city taxicab license plate affixed thereto.

95.07. Inspection of Vehicles. Subdivision 1. Prior to the initial use and operation of any vehicle under the authority of any franchise, said vehicle shall be thoroughly examined and inspected by the police department and found to comply with all standards of safety prescribed by the laws of the state or the city. When the police department finds that a vehicle proposed to be used as a taxicab has met the standards of safety prescribed by law, the department shall notify the city clerk of the fact and the city clerk is authorized to issue a license for such vehicle upon compliance of the grantee with the other provisions of this chapter.

Subd. 2. Every vehicle operating under authority of any franchise shall be inspected from time to time and at least annually by the police department to insure the continued maintenance of safe operating conditions. The operation of any vehicle which fails to meet the standards of safety established by laws shall be discontinued until such time as the deficiency is eliminated.

95.08. Sanitation. Vehicles must be kept in a clean and sanitary condition. Every vehicle operating under authority of any franchise shall be kept in a clean and sanitary condition both as to interior and exterior.

95.09. Identifying Colors, etc. Each taxicab shall be painted in uniform company colors, shall have an identifying top light, shall bear on the outside of at least one door on each side of the vehicle in painted letters and numbers not less than three inches in height the trade or firm name of the grantee and the number assigned to each vehicle. Each taxicab may in addition bear an identifying symbol or design and the actual name of the grantee as owner.

95.10. Licensed Drivers. Each driver shall be licensed as required by the laws of the state and the city, shall be neat and clean at all times and shall wear a uniform cap and

identification badge at all times while on duty. A driver shall not wear his uniform cap and identification badge while off duty.

95.11. Cabs to be Kept Available. Each franchisee shall keep available for service to the public all cabs authorized to it, except those undergoing necessary repairs or maintenance.

95.12. Cab Stands. The council may, by written resolution, establish cab stands in such place or places upon the streets of the city as it deems necessary for the use of taxicabs operated in the city. Cab stands may be established as "open" or "closed" stands and may be increased or diminished in size, relocated, or eliminated at any time in the discretion of the council.

95.13. Rates of Fare. Subdivision 1. No franchisee, nor any of its agents, employees or drivers shall charge a greater sum for the use of a taxicab than the sums set forth in the rate schedule in this section.

Subd. 2. For each load of seven passengers or less within the territorial limits of the city and for each such load between the city and the Rochester International Airport, \$2.25 for the first 1/8 mile and the pro rata cost for any fraction of a mile thereafter based on a rate of \$2.25 per mile. There shall be a minimum charge of \$3.00 for each load, except that a franchisee may impose a minimum charge of \$3.75.

Subd. 3. For waiting time, 39 cents for each minute or fraction thereof after the first minute.

Subd. 4. Waiting time may be charged for the time a driver actually spends assisting the passenger into or out of the vehicle at the point of origin and destination.

Subd. 5. All taxicab service shall be metered according to the rates set forth in this section.

Subd. 6. Subject to such approval of the Minnesota public service commission as may be necessary, a franchisee taxicab when not transporting passengers may deliver packages for any person from one point to another within the territorial limits of the city.

Subd. 7. The city clerk shall issue a rate card or schedule for each taxicab setting forth the authorized rates of fare. This rate card shall be mounted and displayed in each taxicab at all times in such a place as to be in plain view of all passengers.

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95.14. Taximeter Required. All taxicabs shall be equipped with taximeters fastened in front of the passengers, visible to them at all times, day and night; and, after sundown, the face of the taximeter shall be illuminated. Said taximeter shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism. They shall be sealed at all points and connections which, if manipulated, would affect the correct reading and recording. Each taximeter shall have thereon a flag to denote when the vehicle is employed and when it is not employed; and it shall be the duty of the driver to throw the flag of such taximeter into a nonrecording position at the termination of each trip. The said taximeter shall be subject to inspection from time to time by the police department. Any inspector or other officer of said department is hereby authorized either on complaint of any person or without such complaint to inspect any meter and, upon discovery of any inaccuracy therein, to notify the person operating said taxicab to cease operation. Thereupon said taxicab shall be kept off the highways until the taximeter is repaired and in the required working condition.

95.15. Daily Manifest. Every driver of a taxicab shall maintain a daily manifest upon which shall be recorded the time and place of origin and destination of each trip of such taxicab, the amount of the fare charged, the name of the driver and the license number of the taxicab. The manifest forms shall be furnished to the driver by the franchisee and

shall be returned daily to the franchisee by the driver at the conclusion of each tour of duty. The franchisee shall preserve the daily manifests for a period of four years and shall submit upon request of the council or police department any information contained in the manifest forms.

95.16. Solicitation of Passengers. No person shall solicit passengers for a taxicab except the driver of the taxicab and the driver may solicit passengers only when sitting in the driver's compartment of such taxicab or while standing within three feet of the taxicab for which passengers are being solicited.

No driver shall solicit passengers in a loud, noisy or boisterous tone of voice, or lay hands upon the person or baggage of any person without the express consent of such person, or obstruct the movement of any person, or follow any person for the purpose of soliciting patronage.

95.17. Additional Passengers. No driver shall permit any other person to occupy or ride in a taxicab unless the person or persons first employing the taxicab shall request or consent to the acceptance of additional passengers.

95.18. Overcrowding. No driver shall permit more persons to be carried in a taxicab as passengers than the rated seating capacity of his taxicab as stated in the license for such vehicle issued by the city clerk. A child in arms shall not be counted as a passenger. The rated seating capacity of each taxicab operated under this franchise shall be determined by the police department and reported to the city clerk for inclusion in the license certificate.

95.19. Refusal of Passengers. No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so.

95.20. Soliciting. No driver shall solicit business for any hotel or rooming house, or attempt to divert patronage from one hotel to another, or use such vehicle for any purpose other than the transporting of passengers and their luggage.

95.21. Immoral Purposes. No driver shall permit any person to occupy or use such vehicle for the purpose of prostitution, lewdness, or assignation, and it shall be unlawful for the driver of any taxicab to direct or offer or agree to direct any person to any place or person for the purpose of prostitution, lewdness, or assignation, and it shall be unlawful to transport any person to any building, place or other person with knowledge or reasonable cause to know that the purpose of such transportation is prostitution, lewdness or assignation.

95.22. Applicable to Airport. The foregoing provisions of sections 95.16 through 95.21 shall apply not only within the territorial limits of the city but shall apply also to any and all taxicab driver, delivering, receiving or soliciting passengers on the premises of the Rochester municipal airport.

95.23. Refusal to Pay. Subdivision 1. No taxi passenger shall refuse to pay the legal fare of any taxicab after having hired the same, and no person shall hire any taxicab with intent to defraud the grantee or driver of the value of such service.

Subd. 2. Whenever a taxicab driver suspects or believes that the prospective passenger or passengers hiring a cab will be unable to pay the fare immediately upon completion of the trip, the driver may require the estimated fare to be paid in advance, and upon failure of the prospective passenger or passengers to pay the estimated fare in advance the driver is not obligated to accept the trip.

95.24. Advertising. No franchisee shall permit advertising matter to be affixed to or installed in or on the taxicabs, if such advertising matter interferes with the efficient and safe operation of the taxicabs.

95.25. Malicious Calls. No person shall call for a taxicab and intentionally give an erroneous name or address or call for a taxicab not intending at the time of the call to hire or use the same on arrival.

95.26. Police Duties. The police department shall watch and observe the conduct of the franchisees and drivers operating under franchise, and prosecute any violation of the provisions of this chapter.

95.27. Reservation of Rights. The council expressly reserves the authority and power to make any amendments to any taxi franchise, and to adopt any other rules and regulations which do not substantially impair the franchise or privilege granted but which are considered necessary or desirable for the public health or welfare or considered necessary or desirable in the exercise of the general police power.

95.28. Revocation of Franchises. The council may revoke any taxi franchise on 30 days notice for any violation of this chapter.

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